

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 409. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118) shall be considered a public use for purposes of eminent domain.

SEC. 410. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 411. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 412. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act").

SEC. 413. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a-10c).

SEC. 414. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sec-

tions 301-10.122 and 301-10.123 of title 41, Code of Federal Regulations.

SEC. 415. None of the funds made available in this Act may be used to purchase a light bulb for an office building unless the light bulb has, to the extent practicable, an Energy Star or Federal Energy Management Program designation.

SEC. 416. None of the funds made available in this Act may be used to establish, issue, implement, administer, or enforce any prohibition or restriction on the establishment or effectiveness of any occupancy preference for veterans in supportive housing for the elderly that:

(1) is provided assistance by the Department of Housing and Urban Development; and

(2) is or would be located on property of the Department of Veterans Affairs; or

(3) is subject to an enhanced use lease with the Department of Veterans Affairs.

SEC. 417. None of the funds made available under this Act or any prior Act may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, or allied organizations.

SEC. 418. Concurrent with the issuance of any notice of funding availability or any other notice designed to solicit applications for a program through which grants or credit assistance are awarded through a competitive process, the Secretary of Transportation and the Secretary of Housing and Urban Development shall post on their Web sites information about such program, including, but not limited to, the goals of the program, the criteria that will be used in awarding grants or credit assistance, and the process by which applications will be selected for the award of a grant or credit assistance: *Provided*, That concurrent with the public announcement of grants or credit assistance to be awarded through such competitive program, the Secretary of Transportation and the Secretary of Housing and Urban Development shall post on their Web sites information on each applicant to be awarded a grant or credit assistance, including, but not limited to, the name and address of the applicant, the amount of the grant or credit assistance to be awarded, the amount of financing expected from other sources, and an explanation of how such award is consistent with program goals.

This Act may be cited as the "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012".

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on October 13, 2011, at 10 a.m. to conduct a hearing entitled "Addressing Potential Threats From Iran: Administration Perspectives on Implementing New Economic Sanctions One Year Later."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON INDIAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on October 13, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Judiciary be authorized to meet during the session of the Senate, on October 13, 2011, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Judiciary be authorized to meet during the session of the Senate, on October 13, 2011, at 2 p.m., in SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Arbitration: Is It Fair When Forced?"

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate, on October 13, 2011, at 2:30 p.m. hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON GREEN JOBS AND THE NEW ECONOMY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Green Jobs and the New Economy of the Committee on Environment and Public Works be authorized to meet during the session of the Senate, on October 13, 2011, at 10 a.m., in Dirksen 406 to conduct a hearing entitled, "Innovative Practices to Create Jobs and Reduce Pollution."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Nathan Engle, a fellow in my office, be granted floor privileges for the duration of the consideration of H.R. 2112, the agriculture appropriations bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—H.R. 2112

Mr. REID. Madam President, I ask unanimous consent that at 4 p.m., Monday, October 17, the Senate proceed to the consideration of Calendar No. 155, H.R. 2112—that is the Agriculture Appropriations Act for fiscal year 2012—that the committee amendment be withdrawn and that the chairman of the Appropriations Committee or his designee be recognized to offer amendment No. 738, which consists of the text of the withdrawn amendment as Division A, the text of S. 1572, Calendar No. 170, as Division B, and the

text of S. 1596, Calendar No. 177, as Division C; provided further, that H.R. 2596, as reported by the House Appropriations Committee, and Division C of amendment No. 738 be deemed House-passed text in H.R. 2112 for purposes of rule XVI; finally, that amendment No. 738 for the purposes of paragraph 1 of rule XVI be considered a committee amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I am going to give the Chair a written test on what I just read in a few minutes. OK.

The PRESIDING OFFICER. I will pass with flying colors.

#### MAKING A CORRECTION IN THE ENROLLMENT OF S. 1280

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to the consideration of S. Con. Res. 31.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 31) directing the Secretary of the Senate to make a correction in the enrollment of S. 1280.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 31) was agreed to, as follows:

S. CON. RES. 31

*Resolved by the Senate (the House of Representatives concurring).* That, in the enrollment of the bill (S. 1280) to amend the Peace Corps Act to require sexual assault risk-reduction and response training, the development of a sexual assault policy, the establishment of an Office of Victim Advocacy, the establishment of a Sexual Assault Advisory Council, and for other purposes, the Secretary of the Senate shall make the following corrections:

Amend section 8C of the Peace Corps Act, in the quoted material in section 2 of the bill, by adding at the end the following new subsection:

“(e) SUNSET.—This section shall cease to be effective on October 1, 2018.”.

Amend section 8D of the Peace Corps Act, in the quoted material in section 2 of the bill, by adding at the end the following new subsection:

“(g) SUNSET.—This section shall cease to be effective on October 1, 2018.”.

Amend section 8E of the Peace Corps Act, in the quoted material in section 2 of the bill—

(1) in subsection (c), by striking “The President shall annually conduct” and inserting “Annually through September 30, 2018, the President shall conduct”;

(2) in subsection (d)—

(A) in subparagraph (A), by striking “a biennial report” and inserting “a report, not later than one year after the date of the enactment of this section, and biennially through September 30, 2018,”; and

(B) in subparagraph (B), by striking “not later than two years after the date of the enactment of this section and every three years thereafter” and inserting “not later than two years and five years after the date of the enactment of this section”; and

(3) by adding at the end the following new subsection:

“(e) PORTFOLIO REVIEWS.—

“(1) IN GENERAL.—The President shall, at least once every 3 years, perform a review to evaluate the allocation and delivery of resources across the countries the Peace Corps serves or is considering for service. Such portfolio reviews shall at a minimum include the following with respect to each such country:

“(A) An evaluation of the country’s commitment to the Peace Corps program.

“(B) An analysis of the safety and security of volunteers.

“(C) An evaluation of the country’s need for assistance.

“(D) An analysis of country program costs.

“(E) An evaluation of the effectiveness of management of each post within a country.

“(F) An evaluation of the country’s congruence with the Peace Corp’s mission and strategic priorities.

“(2) BRIEFING.—Upon request of the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives, the President shall brief such committees on each portfolio review required under paragraph (1). If requested, each such briefing shall discuss performance measures and sources of data used (such as project status reports, volunteer surveys, impact studies, reports of Inspector General of the Peace Corps, and any relevant external sources) in making the findings and conclusions in such review.”.

Amend section 8I(a) of the Peace Corps Act, in the quoted material in section 2, by inserting “through September 30, 2018,” after “annually”.

Strike section 8.

Redesignate sections 9 and 10 as sections 8 and 9, respectively.

Strike section 11.

#### CELEBRATING THE 10-YEAR COMMEMORATION OF THE UNDERGROUND RAILROAD MEMORIAL

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 293.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 293) celebrating the 10-year commemoration of the Underground Railroad Memorial, comprised of the Gateway to Freedom Monument in Detroit, Michigan, and the Tower of Freedom Monument in Windsor, Ontario, Canada.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any related statements on this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 293) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 293

Whereas millions of Africans and their descendants were enslaved in the United States and the American colonies from 1619 through 1865;

Whereas Africans forced into slavery were unspeakably debased, humiliated, dehumanized, brutally torn from their families and loved ones, and subjected to the indignity of being stripped of their names and heritage;

Whereas tens of thousands of people of African descent silently escaped their chains to follow the perilous Underground Railroad northward towards freedom in Canada;

Whereas the Detroit River played a central role for these passengers of the Underground Railroad on their way to freedom;

Whereas, in October 2001, the City of Detroit, Michigan joined with Windsor and Essex County in Ontario, Canada to memorialize the courage of these freedom seekers with an international memorial to the Underground Railroad, comprising the Tower of Freedom Monument in Windsor and the Gateway to Freedom Monument in Detroit;

Whereas the deep roots that slaves, refugees, and immigrants who reached Canada from the United States created in Canadian society remain as tributes to the determination of their descendants to safeguard the history of the struggles and endurance of their forebears;

Whereas the observance of the 10-year commemoration of the Underground Railroad Memorial will be celebrated from October 19 through October 22, 2011;

Whereas the International Underground Railroad Monument Tenth Anniversary Planning Committee is pursuing the designation of an International Freedom Corridor and the nomination of the historic Detroit River as an International World Heritage Site;

Whereas the International Underground Railroad Monument Tenth Anniversary Planning Committee recognizes that a National Park Service special resources study may establish the national significance, suitability, and feasibility of an International Freedom Corridor;

Whereas the designation of an International Freedom Corridor would include the States of Michigan, Illinois, Ohio, Wisconsin, Missouri, Indiana, and Kentucky, the Detroit, Mississippi, and Ohio Rivers, which traverse portions of these States, and any other sites associated within this International Freedom Corridor;

Whereas a cooperative international partnership project is dedicated to education and research with the goal of promoting cross-border understanding as well as economic development and cultural heritage tourism;

Whereas, over the course of history, the United States has become a symbol of democracy and freedom around the world; and

Whereas the legacy of African Americans is interwoven with the fabric of democracy and freedom in the United States: Now, therefore, be it

*Resolved*, That the Senate celebrates the 10-year commemoration of the Underground Railroad Memorial, comprised of the Gateway to Freedom Monument in Detroit, Michigan and the Tower of Freedom Monument in Windsor, Ontario, Canada.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.